

The Herald and News

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NEWBERRY, S. C., TUESDAY, MAY 3, 1921.

TWICE A WEEK, \$2.00 A YEAR

TRAGEDY ON ROAD COSTS TWO LIVES

CAR RUNS INTO NEGRO CARRY- ING STEEL DRILL

Man in Car Killed—Negro Run Down
and Also Dies in Accident Near
Newberry

Mr. John A. Payne of Greenwood was killed at Gum Spring, three miles northwest of the city on the Piedmont highway, in an automobile accident Thursday afternoon, and John Gilder, colored, was fatally injured, dying Friday noon. Mr. Payne was formerly of Whitmire, but for the past two years lived in Greenwood, clerking in the grocery store of Cannon & Golding, and bore a splendid reputation as a man of character. He was 26 years old and had been married only 18 months to Miss Johnson of Lanford Station, Laurens county. He and his brother-in-law, Mr. M. H. Cashion, of Greenwood, were in a Ford coupe on their way to Greenwood from Newberry, where they had been on business. At Gum Springs the Newell Construction company had just quit work for the day. Gilder, who was a laborer for the company, was coming to Newberry with a long steel drill rod on his shoulder. Getting out of the way of a truck he stepped immediately in front of the coupe. The rod went endwise through the coupe's windshield and pierced Mr. Payne just below the left eye, entering his brain and killing him instantly. Mr. Payne never spoke nor moved after the drill struck him. Mr. Cashion was not injured, but suffered a nervous shock and was not able to testify at the inquest which was postponed until Monday afternoon, after the jury had viewed the body. The coupe ran against the negro and knocked him down and the injuries he received from the car and from the rod he was carrying caused his death as above stated. His skull was fractured by the impact of the car. He was 45 years old.

Sheriff Cannon G. Blease, who reached the scene about ten minutes after the accident, said it was unavoidable. Dust from the truck prevented the driver of the coupe, Mr. Cashion, from seeing Gilder sooner. Mrs. Jno. C. Adams, Mrs. Albert Hattiwanger, Miss Nellie Adams, Mrs. Walter S. Cameron and her visitor from Spartanburg, Miss Ada Conrad, were the first to reach the scene. They did what they could for the injured man but Mr. Payne was beyond the reach of assistance.

Mr. Payne's body, by direction of Sheriff Blease, after being viewed by the coroner's jury, was immediately carried to Baxter's Undertaking establishment and cared for. It was shipped Friday morning on the Cannon Ball train to Greenwood, to be buried Saturday morning at 10:30 o'clock at Edgewood cemetery, service by the Rev. B. R. Turnipseed, assisted by Dr. E. J. Smith.

Mrs. Jno. C. Adams and Miss Nellie Adams attended the burial.

Promptly after the terrible tragedy the families of Messrs. Payne and Cashion were notified, and Mr. Joe Payne, the dead man's brother, and Mr. J. A. Golding, with whom Mr. John Payne worked, reached Newberry with some other friends from Greenwood, on Thursday night at 11:30 o'clock. Mr. Golding came to relieve Mr. Cashion of responsibility in making arrangements for the return to Greenwood. Mr. Cashion was completely overcome and unstrung by the terrible experience and all were greatly distressed by the sudden and untimely death.

Mr. Payne is survived by his mother, Mrs. Sallie E. Payne, and his wife, one sister, Mrs. M. H. Cashion; and two brothers, Mr. Joe Payne and Irvin Payne, a small boy. The Greenwood Index-Journal says he had many friends in that city, made by his courteous, pleasant manner. He was an ex-service man, having served overseas with distinction.

Messrs. Golding and Payne wish to thank all who did for their brother and friend.

Will Go to Europe

The State.
Washington, April 27.—The state department is preparing passports authorizing Gov. R. I. Manning of South Carolina to visit England, June 1.

PERSONAL PARAGRAPHS PROSPEROUS PROSPERITY

E. T. McSwain to Deliver Memorial
Address. Young Peoples' Society.
Parent-Teachers Meeting

Prosperity, May 2.—With Superintendent E. T. McSwain as orator of the occasion and the aged battle-scarred survivors of the '60's and the stalwart young veterans of the World war as guests of honor, Memorial day exercises will be held here May 10 under the auspices of the William Lester chapter, U. D. C.

The exercises will be held in the town hall, beginning at 5 o'clock in the afternoon. Rev. Chas. J. Shealy will be master of ceremonies.

Song, Dixie.
Prayer, Rev. J. D. Griffin.
Vocal solo—Miss Goode Burton.
Address—Mr. McSwain.
Song, Bonnie Blue Flag.
Benediction, Rev. J. A. McKeown.
The line of march will then be formed to Prosperity cemetery, where the resting place of every sleeping warrior will be heaped with spring flowers.

The Young Peoples society of Grace Lutheran church were entertained Friday evening at the home of Miss Louise Bedenbaugh. After a number of old fashioned games were played an ice course was served.

The Ladies Aid society of Grace church met Thursday afternoon at 4 o'clock with Mrs. Walter Wise.

The last meeting of the Parent-Teachers association for this session was held Thursday afternoon in the school auditorium. Round Table discussion of school problems was led by Miss Willie Mae Wise. Col. E. H. Aull, county superintendent of education, was present and in his usual happy manner made an interesting short talk. Superintendent McSwain, in a few appropriate words, expressed his appreciation of the cooperation between parents and teachers during the session. Mrs. J. D. Quattlebaum, speaking for the teachers, and Mrs. J. S. Wheeler for the parents, thanked Mr. McSwain for his untiring efforts in behalf of the school. The association will be disbanded during the summer months but will reorganize at the opening of the school session next fall.

Invitations are out to Ninth-Tenth grade reception, which the ninth grade is giving in honor of the graduating class. The reception will be held this Thursday evening at the home of Mr. and Mrs. A. G. Wise.

Rev. and Mrs. J. D. Griffin entertained Friday evening in honor of the Epworth league of Zion church. The rooms were attractive in their decorations of spring flowers, lovely sweet peas predominating. In a whistling contest between the "Jokers" and the "Jesters" Misses Vera Barnes and Ellen Bowers won for the Jokers. A pleasant evening was brought to a close with the serving of iced tea and cake.

Saturday Miss Helen Griffin of Cross Hill was the guest of honor at a picnic given by the girls and boys of the Prosperity high school. Again on Saturday evening Miss Griffin was honored with a party given by Miss Ethel Shealy. A tempting ice course was served.

One of the most beautiful affairs of the spring was the dinner party which Mr. and Mrs. J. D. Quattlebaum gave Tuesday evening, complimenting the teachers of the Prosperity high school. The lower floor was a bower of exquisite spring flowers and softly burning tapers. The general color scheme was pink and the prevailing flowers were sweet peas. The dining room was entirely in pink and masses of delicate sweet peas were used to bank the mantel and buffet and to adorn the table. An elegant course dinner was served. During the evening the guests were entertained with singing and dancing furnished by the three charming daughters of Mr. and Mrs. Quattlebaum.

Dr. G. Y. Hunter and Dr. C. T. Wyche were Prosperity's representatives at the forum meeting of the chamber of commerce at Newberry on Friday evening. Dr. Hunter was one of the principal speakers. An impromptu talk was made by Dr. Wyche.

The William Lester chapter U. D. C. will meet Wednesday afternoon at 4 o'clock with Mrs. J. B. Bedenbaugh at her home in Pomaria.

The Children of Confederacy chapter holds its May meeting Saturday afternoon at 4:30 with Misses Julia Rosalyn and Sara Quattlebaum.

The children of Mr. J. A. C. Kibler surprised him with a family reunion in honor of his 62nd birthday Thursday, April 28. The family consists of Mr. and Mrs. B. M. D. Livingston and family; Mr. and Mrs. M. L. Kibler and family; Mr. and Mrs. D. E. Halfacre and family; Mr. and Mrs. J. C. Wilson and child, and Mr. and Mrs. J. L. Richardson and child.

There were six children and fourteen grandchildren. An elegant old fashioned dinner was served. This will be a day long remembered by Mr. and Mrs. Kibler and Miss Chellie Kibler (who lives with Mr. Kibler) and who always adds cheer to the home and to her many friends.

O'Neal school will close Saturday, May 7. In the morning the exercises will be given by the lower grades. In the afternoon the pupils of the higher grades will give a play entitled, "The Sweetest Girl in Dixie." Prof S. J. Derrick, president of Newberry college, will also make an address in the afternoon. The entertainment will begin promptly at 10 o'clock. The public is cordially invited, and are requested to bring well filled baskets.

Mr. and Mrs. Jake Geiger, Mr. and Mrs. Seel Moore of Columbia, spent Monday with Mrs. W. J. Wise.

Dr. C. T. Wyche received a telegram Tuesday telling of the death of Mr. Chas. Forbes of New York city. Mr. Forbes was the father of Maxwell Forbes who married Miss Caro Wyche.

Mr. S. L. Paysinger of Newberry is visiting Mrs. J. P. Wheeler.

Pickens Langford of the Citadel is home on a short visit.

Mrs. R. C. Hunter left Monday for Conway to visit her parents.

Mrs. Lee Rankin has returned from Pomaria.

Mrs. J. P. Wheeler was called to Silverstreet last week on account of the serious illness of her aunt, Mrs. Long.

Rev. Tillman Shealy of Springfield, Ga., is the guest of his son, Rev. Chas. J. Shealy.

Mr. and Mrs. D. H. Ham, Mr. and Mrs. J. A. Counts and Mr. and Mrs. M. A. Ham motored to Columbia Thursday.

Mrs. H. P. Wicker is expected home from the Columbia hospital this week.

C. M. Harmon and J. C. Sutton of Canton, N. C., have been visiting Mr. and Mrs. W. B. B. Harmon.

Mrs. B. B. Hair, Miss Georgia Havard and Mrs. G. Boozer motored to Columbia on Tuesday.

Mrs. W. P. B. Harmon spent Wednesday in Saluda.

Mrs. H. L. Parr of Newberry spent Saturday with Mrs. J. P. Wheeler.

Mrs. Vernon Wheeler after visiting Mr. and Mrs. J. P. Wheeler has returned to her home in Philadelphia.

Dr. and Mrs. R. L. Luther, Miss Luther and J. D. Luther motored to Saluda Friday and were guests of Rev. and Mrs. G. S. Bearden.

Little Miss Virginia Leaphardt has returned from the Columbia hospital.

Mr. and Mrs. A. B. Wise and Mr. and Mrs. J. M. Werts spent Sunday in Pomaria with Mrs. J. B. Bedenbaugh.

I. Kaplan has returned from Johns Hopkins hospital, Baltimore, where Mrs. Kaplan is under treatment.

Miss Susie Langford has completed her school term at Brownville and is home for the summer vacation.

Misses Lilla Senn, Thelma Leonhirth and Hanie McGraw of Newberry were week-end guests of Miss Elizabeth May.

Miss Helen Griffin of Cross Hill is spending a few days with her sister, Miss Josie Griffin.

Ira B. Nates has returned to Columbia after spending a few days with his father, A. A. Nates.

Miss Goode Burton spent the week-end with Mrs. H. L. Chaplin of Neeces.

Mrs. Olin Bobb and Master Karl have returned from an extended visit to Columbia.

Little Clara Shealy is spending a while with her grandparents, Dr. and Mrs. A. G. Voigt of Eau Claire.

Misses Gertrude Bobb and Grace Sease, after having taught the past session at Pelham, are home for the summer vacation.

Messrs. Robert Counts, Arthur Counts and Preston Shealy motored to Batesburg Sunday.

S. S. Birge left Saturday for Co-

TABLET OF BRONZE COMES FROM KING

COMMEMORATES VALOR OF SPARTANBURG BOY

King Edward Sends Memorial in
Honor of Lieut. William Montague
Nichols

The State.

Spartanburg, April 29.—Judge George W. Nicholls of this city has received from King George of England in grateful recognition of the valiant service rendered by Lieut. William Montague Nichols, son of Judge Nicholls, who had laid down his life in his majesty's service on the battlefield of France. Accompanying the bronze tablet is a letter from King George, which contains the following message.

"Buckingham Palace.

"I join with my grateful people in sending you this memorial of a brave life given for others in the great war."

(Signed) "George, R. I."

The bronze tablet is beautifully designed and bears the inscription, "He died for freedom and honor." The tablet also bears the name, "William Montague Nicholls." Engraved on the bronze is the figure of a woman, an arm extended, a laurel wreath held in her hand. This memorial has elicited much admiration from those who have been privileged to see it.

William Montague Nicholls, youngest son of Judge and Mrs. George W. Nicholls, enlisted under the British flag and served with conspicuous gallantry as a lieutenant of artillery. He was killed in action early in 1916, being one of the few Americans who gave their lives in the service of the British government, and the memorial received by Judge and Mrs. Nicholls is believed one of the first received in the United States from the king of England.

CIGARS WERE RESERVED FOR HOME USE 100 YEARS AGO

New York Evening Post.

"Have a cigar while we're talking it over," says the business man today. Not so a hundred years ago in New York. Then there was no such thing in business hours.

"No man who was known to smoke a cigar in the streets or at his office in business hours could have obtained a discount at any bank in the city," says Charles H. Haswell in his "Reminiscences of an Octogenarian."

And he tells us that September 21, 1825, the Advocate, a leading New York newspaper, published, with grave reflection on the state of the times, the fact that a young man had actually been seen smoking in the streets at 9 o'clock in the morning.

Ice Cream Festival.

There will be an ice cream festival at Clayton Memorial church Saturday night, May 7, at 8 o'clock. The public is cordially invited to attend.

Columbia to spend a few days with his nephew, E. Sam Kohn.

Mrs. J. H. Sease spent Friday in Newberry.

Under the auspices of the Ladies' Aid society of Grace church a comedy drama in four acts entitled "Under Blue Skies," will be given at the town hall Friday evening at 8:30. Admission 15 cents and 25 cents. The proceeds will go on the indebtedness of the pipe organ recently purchased by the church. Cast of characters: Bruce McCulloch, the man, Otis Boozer; David Joyce, Clara's father, Julian Price; Dick Warren, Edith's brother, Lewis Bedenbaugh; Oscar Weber, a village swain, Webster Dominick; Old John, a gardener and sexton, Robert Counts; Sleepy Heine, Sarah's grandson, Leslie Singley; Williams, valet to Bruce, Herman Werts; Clara Joyce, the girl, Mrs. Otis Boozer; Edith Warren, an heiress, Ethel Saner; Sarah, the old housekeeper, Mrs. Julian Price; Mrs. Weber, a neighbor, Mrs. J. H. Crasdon; Little Elsie, Sarah's granddaughter, Phoebe Singley.

Julia, the four-year-old daughter of Mr. and Mrs. Thomas Hawkins, died Wednesday of cholera, and was buried Thursday afternoon at Mount Pilgrim cemetery by Rev. J. B. Harman. Besides her bereaved parents she is survived by three little brothers.

COKEBURY CONFERENCE HELD AT WATERLOO

Methodists of That District Met in
Annual Session With Good At-
tendance and Services

Waterloo, April 25.—Cokesbury District conference convened at Waterloo April 20 with opening sermon by Rev. T. W. Munnerlyn, of McCormick, at 8 p. m. Thursday the conference was called to order by Dr. Jas. W. Kilgo, presiding, and Rev. S. H. Booth, secretary. At 11 o'clock Rev. B. R. Turnipseed of Greenwood delivered an excellent sermon which was very inspiring and timely. Conference was again called to order in the afternoon.

Dr. R. E. Stackhouse, editor of the Southern Christian Advocate, and Rev. T. C. O'Dell, superintendent of the Epworth orphanage at Columbia, made able addresses in behalf of those institutions at 8 p. m.

Friday at 9:30, after the usual order of proceedings, such able speakers as Hon. C. C. Featherstone, Rev. J. C. Roper, Rev. R. O. Lawton, stirred the conference in the interest of the Christian Education movement. Afterwards delegates to the annual conference which meets in Lancaster in November were elected as follows: Messrs. J. C. Smith, J. P. Stockman, C. C. Featherstone, L. M. Moore, W. P. Rushton, A. E. Taylor, W. P. B. Kinard, J. R. Shaffer.

Before the conference adjourned Rev. J. P. Simpson, representing the pastorate at Whitmire, invited the next meeting to convene there, and it was accepted.

There were about 22 pastors and 56 laymen present and they expressed an exceptionally hospitable entertainment and the people here were pleased with the honor of entertaining such a band of devoted Christian workers.

WILLIAM ELLIOTT TO SPEAK ON COOPERATIVE MARKET

Columbia, April 29.—William Elliott of Columbia has accepted an invitation extended him by R. C. Hamer, president of the South Carolina division of the American Cotton association, to speak on cooperative marketing at the semi-annual meeting of the cotton association in Columbia next Wednesday at noon in Craven hall. The principal object of this meeting will be to discuss cooperative marketing association in this state along plans somewhat similar to the cooperative marketing associations that have proved so successful in California and other Western states.

President Hamer said today that Mr. Elliott had given much careful study to the question of cooperative marketing and was probably the best qualified man in the state of South Carolina to speak upon it. He is thoroughly familiar with every detail of the subject, said Mr. Hamer, and in position to give the farmers any information that might be sought.

Indications point to a very large crowd at the meeting. It was said yesterday at the headquarters of the cotton association. Fifty or more delegates have been appointed from every county and notices sent to them. A very large percentage of them have already written indicating their intentions of attendance.

President Hamer again today stressed the fact that the meeting was open to all of the farmers of South Carolina whether they have been appointed delegates or not and it is hoped that there will be no hesitation on the part of any one to attend because he has not been officially appointed as a delegate.

The central committee which is to formulate the plans for the marketing association will meet Tuesday and have them ready for submission to the big meeting on Wednesday.

His Explanation

"Have you fallen through the coal-hole?" asked the passer-by of an old gentleman who seemed to be firmly wedged in the coal-hole that had been left uncovered.

"Oh, no," snapped the old gentleman, with a gleam in his eye. "I happened to be here when the road was built, and so the workmen, unwilling to disturb me, merely built it around me!"

DOMINICK LOSES SUIT AGAINST GEO. H. BOLT

Sued for Seventy-five Thousand Dol-
lars but Jury Rendered Verdict
for the Defendant

Laurens Herald, 29th.

When the jury rendered a verdict for the defendant Tuesday night in an action instituted by Mrs. H. L. Dominick of Newberry county against Mr. Geo. H. Bolt of this county, it ended a trial that involved one of the largest sums ever named in a suit in this county, the damage asked for being \$75,000. The cause of the suit was the death of the husband of the plaintiff on October 29, 1919, when he was struck by Mr. Bolt's car about 12 miles this side of Columbia and died a few minutes after he was taken to a hospital in the capital city.

Mr. Bolt, testifying in his own behalf, stated that he and Mr. Jno. Knight were on their way to the State fair when the accident occurred. He saw the Dominick car coming when they were about one-fourth mile apart. When they came within about 50 feet of each other, the Dominick car came to a stop at a spring, and when passing the car he saw Mr. Dominick in the road a few feet in the rear of his car in a stooping position. He immediately applied the brake and at the same time steered to one side.

Mr. Bolt's efforts failed, however, and Mr. Dominick was struck by the fender or hub and knocked to one side. He died a few hours later without regaining consciousness.

Mr. Bolt's testimony was corroborated by Mr. Knight, who was on the same seat with him, and also by W. E. Woodside and D. M. Peden who had been to Columbia and were at that time following the Dominick car about 200 yards in the rear. Mr. Woodside testified that Mr. Dominick stooped to pick up something but raised up as if he feared Mr. Bolt's car would strike him and then stooped again as if he had decided that he could secure the object before the car arrived. Mr. Peden testified that under the conditions, Mr. Bolt's car had to strike either the Dominick car or Mr. Dominick himself.

Mr. and Mrs. J. W. McCormick of Columbia, in whose undertaking establishment Mr. Dominick's body was prepared for burial, were also here as witnesses for the defense, both of them testifying that Mrs. Dominick and her son Cecil, both of whom were in the party when the accident occurred, repeatedly stated it was an accident, unavoidable, and that they did not blame Mr. Bolt as it was not his fault. Mrs. McCormick said that Mrs. Dominick had invited Mr. Bolt to come to see them. Mr. McCormick stated also that Mr. Bolt paid for the coffin and other expenses, including express on the body to Prosperity.

The evidence of Mrs. Dominick and her son Cecil, both on the side of the plaintiff, differed from the defense only in details, the main facts being substantially the same. According to their viewpoint, they had stopped at the spring for water and as they were halting, some of the party saw a knife lying in the road and this was the object for which Mr. Dominick stooped when he was injured. They did not notice Mr. Bolt's car, they said, until it went whizzing by and if Mr. Bolt gave any signal they did not hear it. They denied having exonerated Mr. Bolt as was testified by the McCormicks.

The case consumed the entire day Tuesday, the session being extended into the night, but the deliberations of the jury were short, consuming about 15 minutes.

Shades of Grandma!

London, April 25.—Fashion has, without warning, introduced the crinoline into the new evening dresses. All the fashion graces of the last century are to be seen embodied in them. Some of the models are designed with rows of piped frills and flounces while others are executed entirely in black and velvet.

At St. Phillips.

Home Demonstration club Wednesday, May 4 at 2:30 o'clock.

Girls' Cooking class Wednesday, May 4 at 12 o'clock.

Mothers' Day exercises, Wednesday, May 4, at 3:00 o'clock.

Closing exercises, Friday night, May 13, beginning at 8:30 o'clock.

BARNWELL MELONS REVERT TO TYPE

VARIETY GROWN FROM HYBRID CAUSES SUIT

Interesting Case Heard in Barnwell
Court—Awarded No Dam-
ages.

The State.

Blackville, April 29.—A case that has been watched with a great deal of interest by seed houses, seed dealers and farmers in general, was that of O. B. Brant vs. L. J. Baughman, which was tried in the court of common pleas for Barnwell county before Judge Mauldin Thursday. In this action the plaintiff alleged that he purchased 12 pounds of what is known as Excel melon seed from L. J. Baughman, a grocer of Blackville; that he planted the seed so bought on 15 acres of land and when the vines commenced to fruit, it was found that the seed were not producing melons true to type, but which turned out to be Guineas or runts. Plaintiff claimed damage in the sum of \$4,000.

Mr. Baughman testified that he purchased the seed in question from a well known seed house and gave no guarantee whatsoever as to results. It developed from the testimony that the Excel melon is a hybrid, made up of several different varieties, and that it is impossible to determine when the melon will revert to melon type. Several farmers testified for the defendant to the fact that they had saved seed from other kinds of melons and that for three or four years the melons came true to type and then subsequently they reverted to several different varieties. The defendant traced the seed from the grower's field in Georgia, exhibiting a photograph of the melon from which the seed were selected, which showed the melons to be of an excellent type. There was testimony offered which showed that watermelons generally and especially the Excel melon proved disastrous to farmers the season of 1920.

At the close of the entire case, the defendant's attorneys moved for a direction of verdict upon the ground that Mr. Baughman was a middleman and not the grower of the seed and was, therefore, not responsible for the results, and upon the further ground that defendant made no warranty as to results. The motion was granted, a verdict being directed in favor of defendant.

There were about \$100,000 worth of suits pending the outcome of this case, which rendered it one of the most interesting and far reaching cases tried in the Barnwell court in a number of years.

The plaintiff was represented by the firm of Harley & Blatt of Barnwell, and defendant by A. H. Nienstein of Blackville, Henderson of Aiken and Brown & Bush of Barnwell.

Snake in Potato Bank.

Occasionally some people make a run on a bank, but here is an instance of a run from a bank—and it was not a sand bank or a money bank. Charnar G. Gilliam, a well known colored citizen of the county, living on the Eugene Griffin Barr place beyond Helena, in renewing subscription to The Herald and News, related a snake episode. Several days ago his wife wanted some sweet potatoes for dinner and went to the potato bank to get them. She pulled out one large potato and was in the act of reaching for another when she discovered a snake among the potatoes. She lost no time in getting Charnar on the spot. He tore down the bank and there, all coiled up with tongue licking out, was a large highland moccasin, which came to its death at the hands of "the man with the hoe," the said C. G. Gilliam.

History Repeats Itself

She (after the hasty betrothal): "Darling this ring looks so familiar." He (studying her more closely): "Can it be possible that—"

She: "Yes, it is—the very same ring! Why, you're the very fellow I was engaged to three weeks last summer!"

It is a fine thing to belong to a political organization, but a finer thing to be an American at all times.—Franklin D. Roosevelt, former assistant secretary of the navy.